

States unless such shipment to an importer is accompanied by a manufacturer's certificate of conformance, an original laboratory testing report with respect to each lot from which the fasteners are taken, and any other relevant lot identification information.

(b) The requirement that delivery of fasteners to any importer must be accompanied by an original laboratory testing report shall not apply:

(1) In the case of fasteners imported into the United States as products manufactured within a nation which is party to a congressionally approved free trade agreement with the United States that is in effect, provided that the Director has published in the FEDERAL REGISTER a certification that satisfactory arrangements have been reached by which purchasers within the United States can readily gain access to an original laboratory test report for such fasteners; or,

(2) In the case of fasteners imported into the United States as Canadian-origin products under the United States-Canada Automobile Pact for use as original equipment in the manufacture of motor vehicles.

**§ 280.14 Option for importers and private label distributors.**

(a) Notwithstanding the provisions of § 280.13 of this part, delivery of a lot, or portion of a lot, of fasteners may be made by a manufacturer to an importer or private label distributor without the required original copy of the laboratory testing report if—

(1) The manufacturer provides to the importer or private label distributor a certificate which, as a minimum, includes fastener description information contained in § 280.6(a)(4), and a statement by the manufacturer certifying that the fasteners have been manufactured according to the requirements of the applicable standard or specification, but have not been tested by a laboratory accredited in accordance with section 6 of the Act; and

(2) The importer or private label distributor assumes responsibility in writing for the inspection and testing of such lot or portion by a laboratory accredited in accordance with the procedures set out in this Part.

(b) If the importer or private label distributor assumes the responsibility in writing for the inspection and testing of such lot or portion, the provisions of section 5(a), (b) and (c) of the Act shall apply to the importer or private label distributor in the same manner and to the same extent as to a manufacturer; except that the importer or private label distributor shall provide to the testing laboratory the certificate described under paragraph (a)(1) of this section.

**§ 280.15 Alternative procedure for chemical characteristics.**

Notwithstanding any other provision of this regulation, a manufacturer shall be deemed to have demonstrated that the chemical characteristics of a lot conform to the standards and specifications to which the manufacturer represents such lot has been manufactured if the following requirements are met:

(a) The coil or heat number of metal from which such lot was fabricated has been inspected and tested with respect to its chemical characteristics by a laboratory accredited in accordance with the Act and these regulations;

(b) Such laboratory has provided to the manufacturer, either directly or through the metal manufacturer, a written inspection and testing report, prepared in accordance with § 280.6 of this part, listing the chemical characteristics of such coil or heat number;

(c) The report described in paragraph (b) of this section indicates that the chemical characteristics of such coil or heat number conform to those required by the standards and specifications to which the manufacturer represents such lot has been manufactured; and,

(d) The manufacturer demonstrates that such lot has been fabricated from the coil or heat number of metal to which the report described in paragraphs (b) and (c) of this section relates.

**§ 280.16 Subsequent purchaser.**

(a) If a purchaser of fasteners requests the seller to mark the container of fasteners with the lot number from which such fasteners were taken, either prior to the sale or at the time of sale, the seller shall conspicuously